

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE
LITIGATION

MDL NO. 1456

THIS DOCUMENT RELATES TO:

Civil Action No. 01-CV-12257
Judge Patti B. Saris

COUNTY OF CHAUTAQUA V. ABBOTT
LABORATORIES, INC., et al.,
(W.N.D.Y. Case No. 05 cv 214)

AFFIDAVIT OF SERVICE

Kirby McInerney & Squire, LLP
830 Third Avenue, 10th Floor
New York, NY 10022
(212) 371-6600

MARIANNE SADECKI
Notary Public, State of New York
No. 14-4869982
Qualified in Dutchess County
Commission Expires Sept. 8, 2006

States District Court

WESTERN

DISTRICT OF

NEW YORK

COUNTY OF CHAUTAUQUA

ORIGINAL

SUMMONS IN A CIVIL CASE

V.

CASE NUMBER:

ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC., et al. (SEE ATTACHED)

ACQUORON PHARMACEUTICALS INC.

05 CV 02148(F)

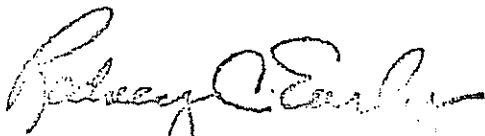
TO: (Name and address of defendant)

(SEE ATTACHED)

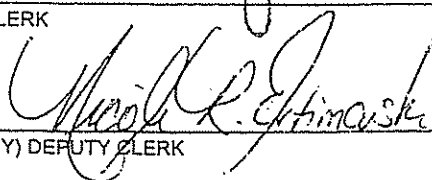
YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Joanne M. Cicala, Esq.
Aaron Hovan, Esq.
Kirby McInerney & Squire, LLP
830 Third Avenue, 10th Floor
New York, NY 10022
(212) 371-6600

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.



CLERK



(BY) DEPUTY CLERK

MAR 29 2005

DATE

UNITED STATES DISTRICT COURT
DISTRICT OF NEW YORK

WESTERN

COUNTY OF CHAUTAUQUA,

Index No. 05-CV-0214 S(F)

Vs.

ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al.

STATE OF ILLINOIS)
) ss.:
COUNTY OF ~~COOK~~)
LAKE

BARNETT S. KOLTON being duly sworn deposes and says that:

Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of Illinois.

On Wednesday, July 27, 2005, at approximately 4:25 P.m., at 100 Abbott Park Road, Abbott Park, IL 60064, Deponent served the within Summons in a Civil Case and Complaint with Exhibits upon Abbott Laboratories Inc., by delivering to and leaving with

(Person served) CINDY BENNETT, (title) PARALEGAL,

a true and correct copy of said documents.

At the time of said service, (Person served) CINDY BENNETT stated that

(s)he was duly authorized to accept service of legal process for Abbott Laboratories, Inc.

(person served) CINDY BENNETT is described as a W (f) female
approximately 40 years of age, 135 lbs., 5' 6" tall, with BLACK hair.

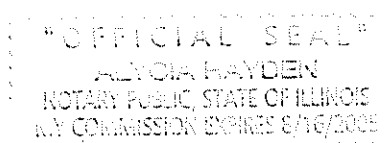
(other features) _____.

Barnett S. Kolton
(PROCESS SERVER'S SIGNATURE)

BARNETT S. KOLTON
Print Name

Sworn to before me this
29 day of July, 2005

Alicia Hader
Notary Public



COUNTY OF Chautauqua

Vs.

ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al.

STATE OF NEW JERSEY)
) ss.:
COUNTY OF Camden)

05 CV 0214 S (F)

Dacien John Mullen, being duly sworn deposes and says that:

Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of
New Jersey.

On Wednesday, July 27, 2005, at approximately 1:30 pm., at

(place served) 1 Executiver Drive, Fort Lee, NJ

Deponent served the within Summons in a Civil Case and Complaint upon

Alpharma, Inc., by delivering to and leaving with

(Person served) Lynne D. Block, (title) Secretary,

a true and correct copy of said documents.

At the time of said service, (Person served) Lynne D. Block stated that

(s)he was duly authorized to accept service of legal process for Alpharma, Inc.

(person served) Lynne D. Block is described as a White (fe) male,

approximately 50 years of age, 140 lbs., 5'8" tall, with grey hair.

(other features) _____

(PROCESS SERVER'S SIGNATURE)

Dacien John Mullen

Print Name

Sworn to before me this
27th day of July, 2005

Notary Public

JANET E. MULLEN
MY COMMISSION EXPIRES
MAY 17, 2008

AFFIDAVIT OF PROCESS SERVER

In The United States District Court for the Western District of New York

County of Chautauqua

Plaintiff(s)

v

Abbott Laboratories, Inc., et al

Defendant(s)

Case No: 05 CV 0214 S(F)

I declare that I am a citizen of the United States, over the age of eighteen and not a party to this action. And that within the boundaries of the state where service was effected, I was authorized by law to perform said service.

Service: I served AstraZeneca Pharmaceuticals L.P.

With the (documents) Summons in a Civil Case: Complaint; and Amended Complaint

Person Served: Mary Ann Snyder, Legal Administrator duly authorized to accept service

Service Address: 1800 Concord Pike, Wilmington, Delaware 19850

Date of Service: July 27, 2005 Time of Service: 1:49 p.m.

Manner of Service: (X) By personally delivering copies to the person/authorized agent of entity being served.

() By leaving, during office hours, copies at the office of the person/entity being served, leaving same with the person apparently in charge thereof

() By leaving copies at the dwelling house or usual place of abode of the person being served, with a member of the household 18 or older and explaining the general nature of the papers.

() By posting copies in a conspicuous manner to the address of the person/entity being served.


Non-Service: After due search, careful inquiry and diligent attempts at the address(es) listed above, I have been unable to effect process upon the person/entity being served because of the following reason(s):

() Unknown at address () Evading () Moved, left no forwarding
() Address does not exist () Service canceled by Litigant () Unable to serve in a timely fashion
() Other

Description: Age: 41 Sex: F Race: W Hgt. 5'7" Wgt: 135 Hair: Brown Glasses: No

I declare under penalty of perjury that the information contained herein is true and correct and this affidavit was executed on:

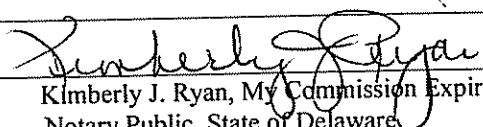
July 27, 2005 at Wilmington, Delaware
Date City State


Richard Torpey, Process Server

State of Delaware
County of New Castle

Subscribed and sworn before me, a Notary Public of the State of Delaware on July 27, 2005

Witness My Hand and Official Seal To


Kimberly J. Ryan, My Commission Expires 6/15/08
Notary Public, State of Delaware

KIMBERLY J. RYAN
NOTARY PUBLIC DELAWARE
My Commission Expires June 15, 2008
6/15/08

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

-----X
COUNTY OF Chautauqua

0527 0214 SCF)

Vs.

ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al.

-----X
STATE OF NEW JERSEY)
) ss.:
COUNTY OF Camden)

Dacien John Mullen, being duly sworn deposes and says that:

Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of New Jersey.


On Wednesday, July 27, 2005, at approximately 1:30 pm., at
300 Somerset Corporate Blvd., Bridgewater, NJ
(place served) _____

Deponent served the within Summons in a Civil Case and Complaint upon

Aventis Pharmaceutical, Inc., by delivering to and leaving with
Laura Nigro _____, Legal Assistant
(Person served) _____, title _____

a true and correct copy of said documents.

At the time of said service, (Person served) LAURA Nigro stated that
(s)he was duly authorized to accept service of legal process for Aventis Pharmaceutical.
(person served) Laura Nigro is described as a White (fe)male,
approximately 30 years of age, 135 lbs., 5'4" tall, with brown hair.
(other features) _____


(PROCESS SERVER'S SIGNATURE)
Dacien John Mullen
Print Name

Sworn to before me this
27th day of July, 2005


Notary Public

JANET E. MULLEN
MY COMMISSION EXPIRES
MAY 17, 2008

UNITED STATES DISTRICT COURT
 WESTERN DISTRICT OF NEW YORK

COUNTY OF CHAUTAUQUA,

Indcx No. 05-CV-0214 S(F)

Vs.

ABBOTT LABORATORIES, INC., ALCON
 LABORATORIES, INC. et. al.

STATE OF ILLINOIS)
) ss.:
 COUNTY OF COOK)

Marshall Grady, being duly sworn deposes and says that:
 Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of Illinois.

On Thursday July 28, 2005, at approximately 2:17 P.m., at One Baxter Parkway, Deerfield, IL 60015, Deponent served the within Summons in a Civil Case and Complaint with Exhibits upon Baxter Healthcare Corp. by delivering to and leaving with

(Person served) Diane Breckenfeld (title) Paralegal

a true and correct copy of said documents.

At the time of said service, (Person served) Diane Breckenfeld stated that (s)he was duly authorized to accept service of legal process for Baxter International, Inc.

(person served) Diane Breckenfeld is described as a White (fe)male, approximately 58 years of age, 148 lbs., 5' 9" tall, with Gray hair.

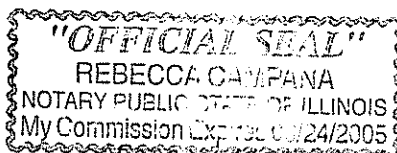
(other features) _____

Marshall Grady
 (PROCESS SERVER'S SIGNATURE)

Marshall Grady
 Print Name

Sworn to before me this
29 day of July, 2005

Rebecca Campana
 Notary Public



UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

COUNTY OF CHAUTAUQUA,

Index No. 05-CV-0214 S(F)

Vs.

ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al.

STATE OF ILLINOIS)
) ss.:
COUNTY OF COOK)

Marshall Grady, being duly sworn deposes and says that:

Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of Illinois.

On ~~Thursday~~ Wednesday, July 28, 2005, at approximately 2:17 p.m., at One Baxter Parkway, Deerfield, IL 60015, Deponent served the within Summons in a Civil Case and Complaint with Exhibits upon Baxter International Inc., by delivering to and leaving with

(Person served) Diane Breckenfeld (title) Paralegal

a true and correct copy of said documents.

At the time of said service, (Person served) Diane Breckenfeld stated that (s)he was duly authorized to accept service of legal process for Baxter International, Inc.

(person served) Diane Breckenfeld is described as a White (fe)male, approximately 58 years of age, 148 lbs., 5' 9" tall, with Gray hair.

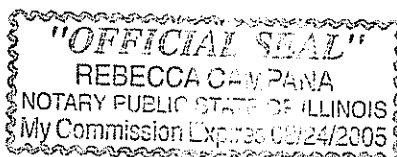
(other features) _____

Marshall Grady
(PROCESS SERVER'S SIGNATURE)

Marshall Grady
Print Name

Sworn to before me this
21 day of July, 2005

Rebecca Campana
Notary Public



UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

-----X
COUNTY OF CHAUTAUQUA

Index No. 05-CV-0214 S(F)

Vs.
ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al.

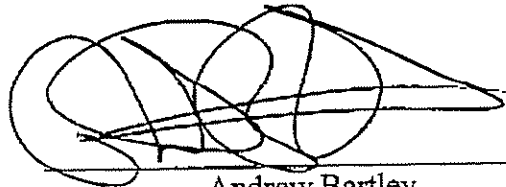
-----X
STATE OF NEW YORK)
COUNTY OF QUEENS) ss.:

Andrew Bartley, being duly sworn deposes and says that: Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of New York.

On July 27, 2005, at approximately 5:30 p.m., at 2 Quaker Road, Pomona, New York 10970. Deponent served the within Summons in a Civil Case and Complaint upon Barr Laboratories Inc., by delivering to and leaving with Rich Dunne, Security Operations Coordinator, a true and correct copy of said documents.

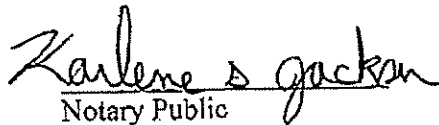
At the time of said service, Rich Dunne stated that he was duly authorized to accept service of legal process for Barr Laboratories Inc.

Rich Dunne is described as a White male, approximately 45-50 years of age, 175-180 lbs., 5' 6" tall, and has bald head.



Andrew Bartley

Sworn to before me this
29th day of July, 2005


Notary Public

KARLENE S. JACKSON
Notary Public
State of New York, #01JA5083169
Qualified in Kings County
Commission Expires August 4, 2007

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

COUNTY OF CHAUTAUQUA

Index No. 05-CV-0214 S(F)

Vs.
ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al.

STATE OF PA)
COUNTY OF ALLEGHENY) ss.;

CARMEN J. CICCARELLI, being duly sworn deposes and says that:

Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of

PENNSYLVANIA

On _____, July 27th, 2005, at approximately 11:05 A.m., at _____

On _____, Day _____
(address) 100 BAYER RD BLDG 14 CRAFTON PA 15205

Deponent served the within Summons in a Civil Case and Complaint upon (Defendant)

Dependent served the within summons on _____, by delivering to and leaving with
BAYER CORP

(Person served) WILLIAM DODERO (title) COUNSEL

a true and correct copy of said documents.

At the time of said service, (Person served) WILLIAM DODERO

stated that (s)he was duly authorized to accept service of legal process for (Defendant)

BAYER CORP

is described as a (color/race) WHITE

(Person served) WILLIAM B. ...
(~~is~~) male, approximately 40 years of age, 180 lbs., 5' 10" tall, with

Black hair. (other features) _____

Notarized Seal
Robert D. Starnes, Jr., Notary Public
Penn-Jersey
Ely County, New Jersey
My Comm. Expires 10/31/2005
Sworn to before me this 10/31/2005 at Ely, New Jersey

Sworn to before me this
27th day of July, 2005

Notary Public

Carmen Greer
(PROCESS SERVER'S SIGNATURE)

CARMEN J CICCARELLI
(Print Name)

ORIGINAL

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF NEW YORK
WESTERN
 COUNTY OF CHAUTAUQUA

Index No. 05-CV-0214 S(F)

Vs.

ABBOTT LABORATORIES, INC., ALCON
 LABORATORIES, INC. et. al.

STATE OF OHIO)

COUNTY OF Summit)) ss.:
)

DAVID BLACKFORD, being duly sworn deposes and says that:

Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of Ohio.

On Thursday, July 28, 2005, at approximately 12:20 p.m., at 300 Northfield Road, Bedford, OH 44146, Deponent served the within Summons in a Civil Case and

Complaint with attached Exhibits, upon Ben Venue Laboratories, Inc., by delivering to and leaving with

(Person served) KATHY RAMSEY, (title) ADMINISTRATIVE ASSISTANT,

a true and correct copy of said documents.

At the time of said service, (Person served) KATHY RAMSEY stated that

(s)he was duly authorized to accept service of legal process for Ben Venue Laboratories, Inc..

(person served) KATHY RAMSEY is described as a CAUCASIAN (fe) male.

approximately 45 years of age, 145 lbs., 5'6 " tall, with BLONDE hair.

(other features) _____

David Blackford
 (PROCESS SERVER'S SIGNATURE)

DAVID BLACKFORD

Print Name

Sworn to before me this
29th day of July, 2005

[Signature]
 Notary Public

RICHARD D. PURSER, Notary Public
 Residence - Madison County
 State Wide Jurisdiction, Ohio
 My Commission Expires 4-5-09

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

(Caption) COUNTY OF CHAUTAUGUA

Plaintiff

Index No. 05-CV-0214 S(F)

V.

(Caption) ABBOTT LABORATORIES INC.
ET AL. Defendants

STATE OF MASSACHUSETTS)
COUNTY SUFFOLK) ss.:

DAVID E. WALTERS, being duly sworn deposes and says that: deponent is not a party to this action, and is over 18 years of age and is a resident of the State of MASSACHUSETTS.

On WEDNESDAY, JULY 27, 2005 approximately 1:52 p.m. at (address served) 10 CAMBRIDGE CENTER MA. 02142, deponent served the within Summons in a Civil Case and Complaint upon BIOGEN IDEC INC. by delivering to and leaving with (PERSON SERVED) JEANNE SCHMITTER, (TITLE) EXEC. ASST. TO GENERAL COUNSEL, a true and correct copy of said document. At the time of said service, (PERSON SERVED)

JEANNE SCHMITTER stated that she was duly authorized to accept service of legal process for (Co served) BIOGEN IDEC INC.

(PERSON SERVED) JEANNE SCHMITTER is described as a WHITE female, approximately 38 years of age, 140 lbs., 5'4" tall, with BLONDE hair and (OTHER FEATURES)

SHE WEARS GLASSES.

David E. Walters
(PROCESS SERVER'S SIGNATURE)
(DAVID E. WALTERS)

Sworn to before me this
27 day of July, 2005

Patricia A. Jan
Notary Public
My Commission exp-
7/25/08

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

-----X
COUNTY OF CHAUTAUQUA

Index No. 05-CV-0214 S(F)

Vs.

ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al.

-----X
STATE OF CONNECTICUT)
) ss.:
COUNTY OF FAIRFIELD)

Eric Rubin, being duly sworn deposes and says that:

Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of Connecticut.

On Wednesday, July 27, 2005, at approximately 2:00 p.m., at One Commercial Plaza, Hartford, CT 06103, Deponent served the within Summons in a Civil Case and Complaint with attached Exhibits, upon Boehringer Ingelheim Corp., via Agent, CT Corporation, by delivering to and leaving with (Person served) Angie Farineau (title), Fulfillment Specialist, a true and correct copy of said documents.

At the time of said service, (Person served) Angie Farineau stated that
(s)he was duly authorized to accept service of legal process for Boehringer Ingelheim Corp.

(person served) Angie Farineau is described as a white (fe)male,
approximately 25-35 years of age, 110 lbs., 5 ' 4 " tall, with black hair.
(other features) _____



(PROCESS SERVER'S SIGNATURE)

Eric Rubin

Print Name

Sworn to before me this
28th day of July, 2005



Notary Public

Ksenia V. Rubin
NOTARY PUBLIC
State of Connecticut
My Commission Expires 12/31/07

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

-----X
COUNTY OF CHAUTAUQUA

Index No. 05-CV-0214 S(F)

Vs.

ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al.

-----X
STATE OF CONNECTICUT)
) ss.:
COUNTY OF FAIRFIELD)

Eric Rubin, being duly sworn deposes and says that:

Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of Connecticut.

On Wednesday, July 27, 2005, at approximately 2:00p.m., at One Commercial Plaza, Hartford, CT 06103, Deponent served the within Summons in a Civil Case and Complaint with attached Exhibits, upon Boehringer Ingelheim Pharmaceuticals Inc., via Agent, CT Corporation, by delivering to and leaving with (Person served) Angie Farineau, (title) Fulfillment Specialist, a true and correct copy of said documents.

At the time of said service, (Person served) Angie Farineau stated that (s)he was duly authorized to accept service of legal process for Boehringer Ingelheim Pharmaceuticals Inc.

(person served) Angie Farineau is described as a white (fe)male, approximately 25-35 years of age, 110 lbs., 5' 4" tall, with black hair. (other features) _____



(PROCESS SERVER'S SIGNATURE)

Eric Rubin

Print Name

Sworn to before me this
28th day of July, 2005



Notary Public

Ksenia V. Rubin
NOTARY PUBLIC
State of Connecticut
My Commission Expires 12/31/07

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE LITIGATION

THIS DOCUMENT RELATES TO:

COUNTY OF CHAUTAUQUA v. ABBOTT
LABORATORIES, INC., et al.

W.D.N.Y. Case No. 05-cv-397

Index No. 01-12257 PBS

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

I, ANDREW MILLER, says:

I am over the age of eighteen, am not a party to this action, and am employed in the City, State, and County of New York. On July 27, 2005, I served true and complete copies of the attached **SUMMONS AND COMPLAINT** upon **BRISTOL-MYERS SQUIBB, CO.**, by personally delivering said true copies to Aixa Flores, process specialist, of CT CORPORATION, 111 Eighth Avenue, New York, NY 10011. Ms. Solomon is 5'5" and Hispanic.



ANDREW MILLER

Sworn to before me this
29 day of July, 2005.



Notary Public

MARIANNE SADECKI
Notary Public, State of New York
No. 14-4869982
Qualified in Dutchess County
Commission Expires Sept. 8, 2008

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

COUNTY OF Chautauqua

05 CV 0214 SCF

Vs.

ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al.STATE OF PENNSYLVANIA)
) ss.:
COUNTY OF)
PhiladelphiaMatthew Kohlman, being duly sworn deposes and says that:Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of
Pennsylvania.On Wednesday, July 27, 2005, at approximately 2:15 p.m., at
(place served) 1050 Westlakes Drive, Berwyn, PA

Deponent served the within Summons in a Civil Case and Complaint upon

Dermik Laboratories, Inc., by delivering to and leaving with
(Person served) Stephen M. Kanovsky, (title) Asst General Counsel

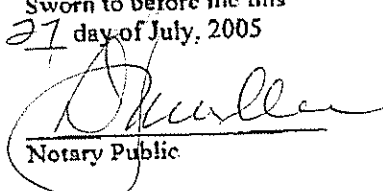
a true and correct copy of said documents.

At the time of said service, (Person served) Stephen M. Kanovsky stated that
(s)he was duly authorized to accept service of legal process for Dermik Laboratories, Inc.
Stephen M. Kanovsky
(person served) Stephen M. Kanovsky is described as a white (fr) male.
approximately 45 years of age, 170 lbs., 5'9 " tall, with brown hair.
(other features) _____

(PROCESS SERVER'S SIGNATURE)

Matthew Kohlman

Print Name

Sworn to before me this
27 day of July, 2005
Notary PublicDACIEN J. MULLEN
MY COMMISSION EXPIRES
JUNE 1, 2008

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

-----X
COUNTY OF CHAUTAUQUA

Index No. 05-CV-0214 S(F)

Vs.
ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al.

-----X
STATE OF CALIFORNIA)


COUNTY OF SOLANO) ss.:

Sam Lowe, being duly sworn deposes and says that: Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of California.

On Thursday, July 28, 2005, at approximately 12:55 p.m., at 2751 Napa Valley Corporate Drive, Napa, CA 94558, Deponent served the within Summons in a Civil Case and Complaint upon Dey Inc., by delivering to and leaving with John Kling, Registered Agent, a true and correct copy of said documents.

At the time of said service, John Kling stated that he was duly authorized to accept service of legal process for Dey Inc.

John Kling is described as a White male, approximately 55 years of age, 160 lbs., 5' 10" tall, with gray hair and wears glasses.

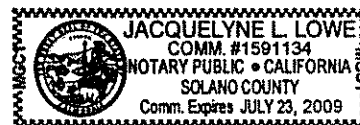


Sam Lowe
California Process Server for Solano County # 184

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 3RD DAY OF AUGUST, 2005, BY SAM LOWE, PERSONALLY KNOWN TO ME TO BE THE PERSON WHO APPEARED BEFORE ME.



NOTARY PUBLIC



UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

COUNTY OF Chautauqua

05CV0214 SCF)

Vs.

ABBOTT LABORATORIES, INC.. ALCON
LABORATORIES, INC. et. al.

STATE OF PENNSYLVANIA)

) ss.:

COUNTY OF)
Philadelphia

Matthew Kohlman being duly sworn deposes and says that:

Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of
Pennsylvania.On Wednesday, July 27, 2005, at approximately 2:15 p.m., at
(place served) 100 Painters Drive, Chadds Ford, PA

Deponent served the within Summons in a Civil Case and Complaint upon

Endo Pharmaceuticals, Inc., by delivering to and leaving with

(Person served) Tracy Achuff, (title) Secretary

a true and correct copy of said documents.

At the time of said service, (Person served) Tracy Achuff stated that

(s)he was duly authorized to accept service of legal process for Endo Pharmaceuticals, inc.

Tracy Achuff

(person served) is described as a white (fe) male,

approximately 30 years of age, 160 lbs., 5'4" tall, with brown hair.

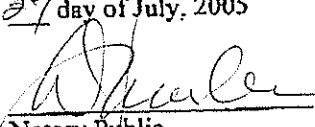
(other features)



(PROCESS SERVER'S SIGNATURE)

Matthew Kohlman

Print Name

Sworn to before me this
27 day of July, 2005
Notary PublicDACIEN J. MULLEN
MY COMMISSION EXPIRES
JUNE 1, 2008

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

COUNTY OF Chautauqua

05CV0214 SCF

Vs.

ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al.

STATE OF PENNSYLVANIA

COUNTY OF Philadelphia

) ss.:
)

Matthew Kohlman, being duly sworn deposes and says that:

Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of Pennsylvania.

On Wednesday, July 27, 2005, at approximately 2:15 p.m., at
(place served) 100 Painters Drive, Chadds Ford, PA

Deponent served the within Summons in a Civil Case and Complaint upon

Endo Pharmaceuticals, Inc., by delivering to and leaving with

(Person served) Tracy Achuff, (title) Secretary

a true and correct copy of said documents.

At the time of said service, (Person served) Tracy Achuff stated that

(s)he was duly authorized to accept service of legal process for Endo Pharmaceuticals, inc.,
Tracy Achuff

(person served) is described as a white (fe)male,
approximately 30 years of age, 160 lbs., 5'4" tall, with brown hair.

(other features)

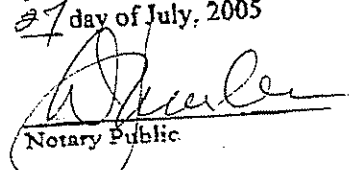


(PROCESS SERVER'S SIGNATURE)

Matthew Kohlman

Print Name

Sworn to before me this
27 day of July, 2005


Notary Public

DACIEN J. MULLEN
MY COMMISSION EXPIRES
JUNE 1, 2008

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

COUNTY OF CHAUTAUQUA

Index No. 05-CV-0214 S(F)

Vs.
ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al.

STATE OF
COUNTY OF

)
) ss.:

JOHN J. ROTH, being duly sworn deposes and says that:

Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of

MISSOURI.

On Thursday, July 28, 2005, at approximately 1:14 p.m., at

(address) 1 CORPORATE WOODS DR, BEDFORD, MO 63044

Deponent served the within Summons in a Civil Case and Complaint upon (Defendant)

FETTEX CORPORATION, by delivering to and leaving with

(Person served) MELISSA HUGHES, (title) MANAGER

a true and correct copy of said documents.

At the time of said service, (Person served) MELISSA HUGHES

stated that (s)he was duly authorized to accept service of legal process for (Defendant)

FETTEX CORPORATION

(Person served) MELISSA HUGHES is described as a (color/ race) WHITE

(fe)male, approximately 35 years of age, 135 lbs., 5'2" tall, with
Brown hair. (other features)

(PROCESS SERVER'S SIGNATURE)

JOHN J. ROTH / MARKELL & ASSOC
(Print Name)

Sworn to before me this
29th day of July, 2005

Donna Lee Smith
Notary Public



DONNA LEE SMITH
St. Louis County
My Commission Expires
December 5, 2006

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE LITIGATION

THIS DOCUMENT RELATES TO:

COUNTY OF CHAUTAUQUA v. ABBOTT
LABORATORIES, INC., et al.

W.D.N.Y. Case No. 05-cv-214

Index No. 01-12257 PBS

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

I, RAYAN MILLER, says:

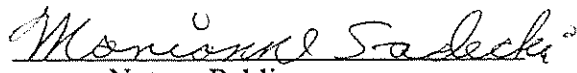
I am over the age of eighteen, am not a party to this action, and am employed in the City, State, and County of New York. On July 27, 2005, I served true and complete copies of the attached SUMMONS AND COMPLAINT upon FOREST LABORATORIES, INC. on the corporation listed below:

FOREST LABORATORIES, INC.
909 Third Avenue
New York, NY 10022

by personally delivering said true copies to Ruthie Dolye, executive secretary, whom stated that she was authorized to accept service and provide acknowledgment of service


RAYAN MILLER

Sworn to before me this
28 day of July, 2005.


Notary Public

MARIANNE SADECKI
Notary Public, State of New York
No. 14-4869982
Qualified in Dutchess County
Commission Expires Sept. 8, 2006

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

COUNTY OF CHAUTAUQUA

Index No. 05-CV-0214 S(F)

Vs.
ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al.

STATE OF)
COUNTY OF) ss.:

JOHN J. ROTH, being duly sworn deposes and says that:

Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of

MISSOURI

On Thursday, July 28, 2005, at approximately 1:46 p.m., at

(address) 13600 SHORELINE DR, EARTH CITY, MO 63045

Deponent served the within Summons in a Civil Case and Complaint upon (Defendant)

FOREST PHARMACEUTICALS, INC, by delivering to and leaving with

(Person served) DOUG GLIDENWELL, (title) OFFICER

a true and correct copy of said documents.

At the time of said service, (Person served) DOUG GLIDENWELL

stated that (s)he was duly authorized to accept service of legal process for (Defendant)

FOREST PHARMACEUTICALS, INC

(Person served) DOUG GLIDENWELL is described as a (color/race) WHITE

(female) approximately 50 years of age, 180 lbs., 5' 11" tall, with

LT. BROWN hair. (other features) _____

(PROCESS SERVER'S SIGNATURE)

JOHN J. ROTH / MARKELL HASEL
(Print Name)

Sworn to before me this
29th day of July, 2005

Donna Lee Smith
Notary Public



DONNA LEE SMITH
St. Louis County
My Commission Expires
December 5, 2006

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

COUNTY OF CHAUTAUQUA

Index No. 05-CV-0214 S(F)

Vs.
ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al.

STATE OF
COUNTY OF

)
) ss.:

JOHN J. ROTH, being duly sworn deposes and says that:

Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of

MISSOURI.

On July 28, 2005, at approximately 1:14 p.m., at

(address) 1 CORPORATE WOODS DR, BRIDGETON, MO 63044.

Deponent served the within Summons in a Civil Case and Complaint upon (Defendant)

FETEX CORPORATION, by delivering to and leaving with

(Person served) MELISSA HUGHES, (title) MANAGER.

a true and correct copy of said documents.

At the time of said service, (Person served) MELISSA HUGHES

stated that (s)he was duly authorized to accept service of legal process for (Defendant)

FETEX CORPORATION.

(Person served) MELISSA HUGHES is described as a (color/race) WHITE

(fe)male, approximately 35 years of age, 135 lbs., 5'2" tall, with

Brown hair. (other features) _____

(PROCESS SERVER'S SIGNATURE)

JOHN J. ROTH / MARK L. ASSOL
(Print Name)

Sworn to before me this
29th day of July, 2005

Donna Lee Smith
Notary Public



DONNA LEE SMITH
St. Louis County
My Commission Expires
December 5, 2006

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

COUNTY OF CHAUTAUQUA,

Index No. 05-CV-0214 S(F)

Vs.

ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al.

STATE OF ILLINOIS)
) ss.:
COUNTY OF ~~COOK~~)
LAKE

BARNETT S. KOLTON being duly sworn deposes and says that:

Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of Illinois.

On Wednesday, July 27, 2005, at approximately 3:15^P m., at Three Parkway North, Deerfield, IL 60015, Deponent served the within Summons in a Civil Case and Complaint with Exhibits upon Fujisawa Healthcare Inc, by delivering to and leaving with

(Person served) JANE H. DAHLEN (title) SENIOR CORPORATE ATTORNEY

a true and correct copy of said documents.

At the time of said service, (Person served) JANE H. DAHLEN stated that

(6)he was duly authorized to accept service of legal process for Fujisawa Healthcare, Inc.

(person served) JANE H. DAHLEN is described as a W (fe)male, approximately 40 years of age, 135 lbs., 5' 5" tall, with BLONDE hair.

(other features) _____

Barnett S. Kolton
(PROCESS SERVER'S SIGNATURE)

BARNETT S. KOLTON
Print Name

Sworn to before me this
29 day of July, 2005

Alcia Heide
Notary Public

ALCIA HEIDE
NOTARY PUBLIC, STATE OF ILL. OF
COMMISSION EXPIRES 8/10/07

Index No. 05-CV-0214 S(F)

ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al.

STATE OF ILLINOIS)
) ss.:
COUNTY OF ~~COOK~~)
 LAKE

BARNETT S. KOLTON, being duly sworn deposes and says that:

Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of Illinois.

On Wednesday, July 27, 2005, at approximately 3:45¹⁰ p.m., at Three Parkway North, Deerfield, IL 60045, Deponent served the within Summons in a Civil Case and Complaint with Exhibits upon Fujisawa USA, by delivering to and leaving with

(Person served) JANE H. BAHLEN, (title) SENIOR CORPORATE ATTORNEY
a true and correct copy of said documents.

At the time of said service, (Person served) JANE H. DAHLEN stated that

(s)he was duly authorized to accept service of legal process for Fujisawa USA, Inc.

(person served) JANE H. DAHLEN is described as a W (fe) male,
approximately 40 years of age, 135 lbs., 5' 5" tall, with BLONDE hair.
(other features) _____

Barnett S. Kelton
(PROCESS SERVER'S SIGNATURE)

BARNETT S. KOLTON
Print Name

Sworn to before me this
29 day of July, 2005

Alicia H. [Signature]
Notary Public

-----X
COUNTY OF Chautauqua

Vs.

ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al.

-----X
STATE OF NEW JERSEY)
) ss.:
COUNTY OF Camden)

052V 0214 8(F)

Dacien John Mullen, being duly sworn deposes and says that:

Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of
New Jersey.


On Wednesday, July 27, 2005, at approximately 1:30 pm., at
(place served) Pfizer, Inc., 95 Corporate Dr., Bridgewater, NJ

Deponent served the within Summons in a Civil Case and Complaint upon

Greenstone LTD (Pfizer, Inc), by delivering to and leaving with
(Person served) Darren Welsh, title Sr. Paralegal, Legal Dept

a true and correct copy of said documents.

At the time of said service, (Person served) Darren Welsh stated that
(s)he was duly authorized to accept service of legal process for Greenstone LTD (Pfizer).
(person served) Darren Welsh is described as a White (~~fe~~) male,
approximately 35 years of age, 150 lbs., 5'7 " tall, with balding hair.
(other features) _____


(PROCESS SERVER'S SIGNATURE)

Dacien John Mullen

Print Name

Sworn to before me this
27th day of July, 2005


Notary Public

JANET E. MULLEN
MY COMMISSION EXPIRES
MAY 17, 2008

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

COUNTY OF Chautauqua -----X

05/27/024 SLP

Vs.

ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al.STATE OF NEW JERSEY)
) ss.:
COUNTY OF Camden)Dacien John Mullen, being duly sworn deposes and says that:Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of
New Jersey.On Wednesday, July 27, 2005, at approximately 1:30 pm., at
340 Kingsland Street, Nutley, NJ

(place served) _____

Deponent served the within Summons in a Civil Case and Complaint upon

Hoffman-LaRoche Inc.

by delivering to and leaving with

(Person served) Jane Matthews, (title) Sr Counsel

a true and correct copy of said documents.

At the time of said service, (Person served) Jane Matthews stated that(s)he was duly authorized to accept service of legal process for Hoffman LaRoche, Inc.(person served) Jane Matthews is described as a White (fe)male,approximately 40 years of age, 130 lbs., 5'4" tall, with blonde hair.

(other features) _____

(PROCESS SERVER'S SIGNATURE)

Dacien John Mullen

Print Name

Sworn to before me this
27th day of July, 2005

Notary Public

JANET E. MULLEN
MY COMMISSION EXPIRES
MAY 17, 2008

UNITED STATES DISTRICT COURT, WESTERN DISTRICT OF NEW YORK

COUNTY OF CHAUTAUGUA

Plaintiff / Petitioner

Cause #: 05 CV 0214S(F)

Affidavit of Service of:

SUMMONS IN A CIVIL CASE; COMPLAINT;

VS.

ABBOTT LABORATORIES, INC.; ET AL.,

Defendant / Respondent

Hearing Date:

Declaration:

The undersigned, being first duly sworn, on oath deposes and says: That s/he is now and at all times herein mentioned, a citizen of the United States and a resident of the State of Washington, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, and is competent to be a witness therein.

On the date and time of Jul 28 2005 1:14PM

at the address of 1201 ANGEN CT SEATTLE

within the County of KING

State of WASHINGTON

the declarant duly served the above described documents upon

IMMUNEX CORPORATION

by then and there personally delivering 1 true and correct copy(ies) thereof, by then presenting to and leaving the same with

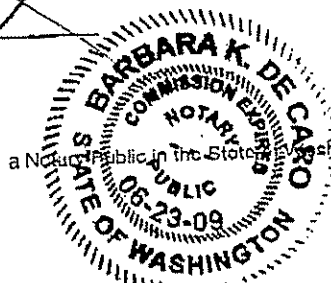
LAURA MULHOLLAND, ASSOCIATE MANAGER/PATENT OPERATIONS 40'S ~ 5'6" ~ 140# ~ C/F ~ BROWN HAIR

No information was provided that indicates that the subjects served are members of the U.S. military.

J. Bradford

Subscribed and sworn to before me this Jul 29 2005

a Notary Public in the State of Washington, residing in Seattle



This documents listed above were served in accordance with RCW 4.28.080 and/or client instructions. If service was substituted on another person or left with a person that refused to identify themselves, it is incumbent upon the client to notify ABC Legal Services, Inc. immediately in writing if further attempts to serve, serve by mail, or investigate are required. If service was substituted on another person, pursuant to RCW 4.28.080 (16), service shall be complete on the tenth day after a copy of the documents are mailed to the subject at the address where service was made. Documents were not mailed by ABC Legal Services, Inc.

Service Notes:

Documents:
Travel:
Invalid Address (0)
Proof Preparation:
Summons Copy:

Secretarial:
Postage:
Photo:
Rush / Special:
Wait / Stake Out Time:

Other:
Pre-Paid Retainer:

Total:

Client Ref.:
PREEMPTIVE PROCESS SERVERS &
ATTORNEY'S ASSISTANCE
176-37 1201H AVE
JAMAICA, NY 11412
718-341-9960

CLIENT COPY
PROOF OF SERVICE

Page 1 of 1

ABC Legal Services, Inc.
910 5th Ave. Seattle, WA 98104
(206) 521-9000
Tracking #: 3729015



PEARLNOTH

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

COUNTY OF Chautauqua

05CV 0214 S(F)

Vs.

ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al.

STATE OF NEW JERSEY)
) ss.:
COUNTY OF Camden)

Dacien John Mullen, being duly sworn deposes and says that:

Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of New Jersey.

On Wednesday, July 27, 2005, at approximately 1:30 pm., at
1125 Trenton Harborton Road, Titusville, NJ
(place served)

Deponent served the within Summons in a Civil Case and Complaint upon

Janssen Pharmaceutical Products, LP, by delivering to and leaving with
(Person served) Lisa Schnett, (title) Dir. Quality Assurance

a true and correct copy of said documents.

At the time of said service, (Person served) Lisa Schnett stated that
(s)he was duly authorized to accept service of legal process for Janssen Pharmaceutical.
(person served) Lisa Schnett is described as a White (fe) male,
approximately 33 years of age, 130 lbs., 5'5" tall, with Blonde hair.
(other features)

(PROCESS SERVER'S SIGNATURE)

Dacien John Mullen

Print Name

Sworn to before me this
27th day of July, 2005

Notary Public

JANET E. MULLEN
MY COMMISSION EXPIRES
MAY 17, 2008

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

COUNTY OF Chautauqua

05CY 0214 S(F)

Vs.

ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al.STATE OF NEW JERSEY)
) ss.:
COUNTY OF Camden)Dacien John Mullen, being duly sworn deposes and says that:Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of
New Jersey.On Wednesday, July 27, 2005, at approximately 1:30 pm., at
1 Johnson & Johnson Plaza, New Brunswick, NJ

(place served)

Deponent served the within Summons in a Civil Case and Complaint upon

Johnson & Johnson

by delivering to and leaving with

(Person served) Kim Giganti, (title) Paralegal, Legal Dept.

a true and correct copy of said documents.

At the time of said service, (Person served) Kim Giganti stated that(s)he was duly authorized to accept service of legal process for Johnson & Johnson(person served) Kim Giganti is described as a White (fe)male,approximately 35 years of age, 160 lbs., 5'4" tall, with Black hair.

(other features)

(PROCESS SERVER'S SIGNATURE)

Dacien John Mullen

Print Name

Sworn to before me this
27th day of July, 2005

Notary Public

JANET E. MULLEN
MY COMMISSION EXPIRES
MAY 17, 2008

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

COUNTY OF ~~WARREN~~ Chautauque

Index No. 05-CV-6136

Vs.
ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et al.

STATE OF
COUNTY OF

)
) ss.:

I DAVID PETERS, being duly sworn deposes and says that:
Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of

TN

On Thursday, July 28, 2005, at approximately 2:40 P.m., at

(Address) 501 7TH ST. BRISTOL, TN. 37620

Deponent served the within Summons in a Civil Case and Complaint upon (Defendant)

KING PHARMACEUTICAL INC., by delivering to and leaving with

(Person served) CYNTHIA FERGUSON, (title) MANAGER OF LEGAL AFFAIRS

a true and correct copy of said documents.

At the time of said service, (Person served) CYNTHIA FERGUSON

stated that (s)he was duly authorized to accept service of legal process for (Defendant)

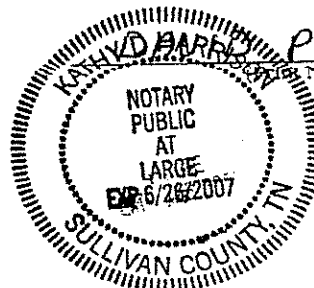
(Person served) CYNTHIA FERGUSON is described as a color and white

(fe)male, approximately 35 years of age, 120 lbs., 5'4" tall, with

Brown hair. (other features) _____

Sworn to before me this
28 day of July, 2005

Kathy D. Harrison
Notary Public



David Peters
(PROCESS SERVER'S SIGNATURE)

DAVID PETERS
(Print Name)

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

COUNTY OF CHAUTAUQUA

Index No. 05-CV-0214 S(F)

Vs.
ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al

STATE OF TENNESSEE)
COUNTY OF SULLIVAN) ss.

David Peters, sworn deposes and says that: Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of Tennessee.

On Thursday, July 28, 2005, at approximately 2:40 p.m. at 501 Fifth Street, Bristol, TN 37620, Deponent served the within Summons in a Civil Case and Complaint upon Monarch Pharmaceuticals, by delivering to and leaving with Cynthia Ferguson, Manager, Legal Affairs, a true and correct copy of said documents.

At the time of said service, Cynthia Ferguson stated that she was duly authorized to accept service of legal process for Monarch Pharmaceuticals.

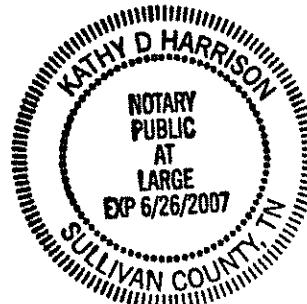
Cynthia Ferguson is described as a White female, approximately 35 years of age, 120 lbs, 5'4" tall and has brown hair.

David Peters

David Peters

Sworn to before me this
28th day of July, 2005

Kathy D. Harrison
Notary Public



COUNTY OF Chautauqua

Vs.

ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al.

STATE OF PENNSYLVANIA)

) ss.:

COUNTY OF)
Philadelphia

Matthew Kohlman being duly sworn deposes and says that:

Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of Pennsylvania.

On Wednesday, July 27, 2005, at approximately 2:15 p.m., at
(place served) 7050 Camp Hill Road, Ft Washington, PA

Deponent served the within Summons in a Civil Case and Complaint upon

McNeill, PPC, Inc., by delivering to and leaving with

(Person served) Colleen Ryan (role) ILC Specialist

a true and correct copy of said documents.

At the time of said service, (Person served) Colleen Ryan stated that
(s)he was duly authorized to accept service of legal process for McNeill PPC, Inc.

(person served) Colleen Ryan is described as a white (fe) male,
approximately 35 years of age, 160 lbs., 5'6" tall, with blonde hair.

(other features)

(PROCESS SERVER'S SIGNATURE)

Matthew Kohlman

Print Name

Sworn to before me this
27 day of July, 2005

Notary Public

DACIEN J. MULLEN
MY COMMISSION EXPIRES
JUNE 1, 2008

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

COUNTY OF CHAUTAUQUA

Index No. 05-CV-0214 S(F)

Vs.
ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al.

STATE OF MD
COUNTY OF Montgomery ss.:

Tom Chedester, being duly sworn deposes and says that:

Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of

Maryland.

On Wednesday, July 27, 2005, at approximately 3:00 p.m., at

(address) One MedImmune Way, Gaithersburg, MD.

Deponent served the within Summons in a Civil Case and Complaint upon (Defendant)

MedImmune Inc., by delivering to and leaving with

(Person served) Derinda Haas, (title) Asst. General Counsel.

a true and correct copy of said documents.

At the time of said service, (Person served) Derinda Haas

stated that (s)he was duly authorized to accept service of legal process for (Defendant)

MedImmune Inc..

(Person served) Derinda Haas is described as a (color/race) white

(fe)male, approximately 48 years of age, 130 lbs., 5' 4 " tall, with

brown hair. (other features) glasses

Tom Chedester
(PROCESS SERVER'S SIGNATURE)

Tom Chedester
(Print Name)

Sworn to before me this
24 day of July, 2005

Janet M. Shipe
Notary Public

JANET M. SHIPE
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires September 1, 2006

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

COUNTY OF Chautauqua

05CV 0214 S(F)

Vs.

ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al.STATE OF NEW JERSEY)
) ss.:
COUNTY OF Camden)Dacien John Mullen, being duly sworn deposes and says that:Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of
New Jersey.On Wednesday, July 27, 2005, at approximately 1:30 pm., at1 Merck Drive, Whitehouse Station, NJ
(place served)

Deponent served the within Summons in a Civil Case and Complaint upon

Merck & Co.

by delivering to and leaving with

(Person served) Connie Boyle (title) Legal Assistant, Legal Dept.

a true and correct copy of said documents.

At the time of said service, (Person served) Connie Boyle stated that(s)he was duly authorized to accept service of legal process for Merck & Co.(person served) Connie Boyle is described as a White (fe)male,approximately 50 years of age, 180 lbs., 5'5" tall, with auburn hair.

(other features)

(PROCESS SERVER'S SIGNATURE)

Dacien John Mullen

Print Name

Sworn to before me this
27th day of July, 2005

Notary Public

JANET E. MULLEN
MY COMMISSION EXPIRES
MAY 17, 2008

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

COUNTY OF CHAUTAUQUA

Index No. 05-CV-0214 S(F)

Vs.
ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al

STATE OF TENNESSEE)
COUNTY OF SULLIVAN) ss.:

David Peters, sworn deposes and says that Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of Tennessee.

On Thursday, July 28, 2005, at approximately 2:40 p.m. at 501 Fifth Street, Bristol, TN 37620, Deponent served the within Summons in a Civil Case and Complaint upon Monarch Pharmaceuticals, by delivering to and leaving with Cynthia Ferguson, Manager, Legal Affairs, a true and correct copy of said documents.

At the time of said service, Cynthia Ferguson stated that she was duly authorized to accept service of legal process for Monarch Pharmaceuticals.

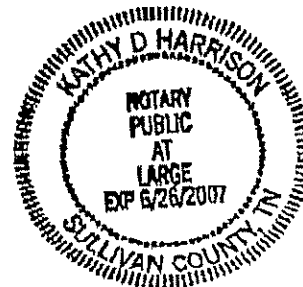
Cynthia Ferguson is described as a White female, approximately 35 years of age, 120 lbs, 5'4" tall and has brown hair.

David Peters

David Peters

Sworn to before me this
28th day of July, 2005

Kathy D. Harrison
Notary Public



UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

COUNTY OF CHAUTAUQUA

Index No. 05-CV-0214 S(F)

Vs.
ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al.

STATE OF PA
COUNTY OF WASHINGTON) ss.:

CARMEN J. CICCARELLI, being duly sworn deposes and says that:

Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of

PENNSYLVANIA

On July 27th, 2005, at approximately 11:40 A.M., at

(address) 1500 CORPORATE DR STE 400 CANONSBURG PA 15317.

Deponent served the within Summons in a Civil Case and Complaint upon (Defendant)

MYLAN LABORATORIES, INC, by delivering to and leaving with

(Person served) VICTORIA POLASKI (title) LEGAL ASSISTANT

a true and correct copy of said documents.

At the time of said service, (Person served) VICTORIA POLASKI

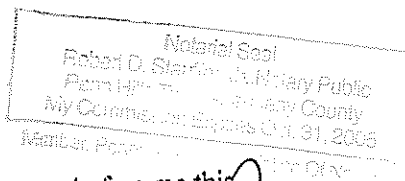
stated that (s)he was duly authorized to accept service of legal process for (Defendant)

MYLAN LABORATORIES, INC

(Person served) VICTORIA POLASKI is described as a (color/race) WHITE

(fe)male, approximately 50 years of age, 170 lbs., 5' 8" tall, with

BLOND hair. (other features)



Sworn to before me this
27th day of July, 2005
[Signature]
Notary Public

[Signature]
(PROCESS SERVER'S SIGNATURE)
CARMEN J. CICCARELLI
(Print Name)

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

COUNTY OF CHAUTAUQUA

Index No. 05-CV-0214 S(F)

Vs.
ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al.

STATE OF PA)
COUNTY OF WASHINGTON) ss.:

CARMEN J CICCARELLI, being duly sworn deposes and says that:

Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of

PENNSYLVANIA

On _____, July 27th, 2005, at approximately 11:40 a.m., at

(address) 1500 CORPORATE DRIVE STE 400 CANONSBURG PA 15317

Deponent served the within Summons in a Civil Case and Complaint upon (Defendant)

MYLAN PHARMACEUTICALS, INC., by delivering to and leaving with

(Person served) VICTORIA POLASKI (title) LEGAL ASSISTANT

a true and correct copy of said documents.

At the time of said service, (Person served) VICTORIA POLASKI

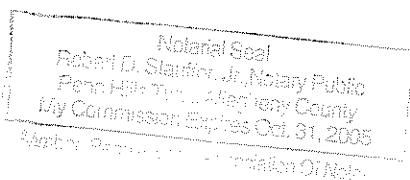
stated that (s)he was duly authorized to accept service of legal process for (Defendant)

MYLAN PHARMACEUTICALS, INC

(Person served) VICTORIA POLASKI is described as a (color/race) WHITE

(fe)male, approximately 50 years of age, 170 lbs., 5' 8" tall, with

BLOND hair. (other features) _____



Sworn to before me this
27th day of July, 2005

Notary Public

Carmen J Ciccarella
(PROCESS SERVER'S SIGNATURE)

CARMEN J CICCARELLI
(Print Name)

-----X
COUNTY OF Chautauqua

Vs.

ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al.

-----X
STATE OF NEW JERSEY)
) ss.:
COUNTY OF Camden)

05CV0214 S(F)

Dacien John Mullen, being duly sworn deposes and says that:

Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of
New Jersey.

On Wednesday, July 27, 2005, at approximately 1:30 pm., at
1 Health Plaza, East Hanover, NJ
(place served) _____

Deponent served the within Summons in a Civil Case and Complaint upon

Novartis Pharmaceuticals Corp, by delivering to and leaving with
Ashley Marsh _____, title Legal Counsel
(Person served) _____

a true and correct copy of said documents.

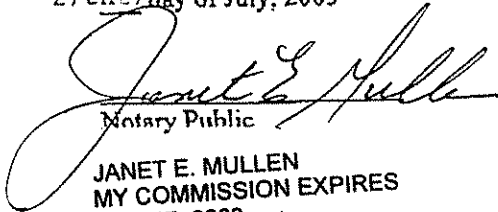
At the time of said service, (Person served) Ashley Marsh stated that
(s)he was duly authorized to accept service of legal process for Novartis Pharmaceuticals Corp
(person served) Ashley Marsh is described as a white (fe)male,
approximately 40 years of age, 125 lbs., 5'3" tall, with Brown hair.
(other features) _____


(PROCESS SERVER'S SIGNATURE)

Dacien John Mullen

Print Name

Sworn to before me this
27th day of July, 2005


Notary Public

JANET E. MULLEN
MY COMMISSION EXPIRES
MAY 17, 2008

-----X
COUNTY OF Chautauqua

Vs.

ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al.

-----X
STATE OF NEW JERSEY)
) ss.:
COUNTY OF Camden)

05020314 S(F)

Dacien John Mullen, being duly sworn deposes and says that:

Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of
New Jersey.

On Wednesday, July 27, 2005, at approximately 1: 30 pm., at
56 Livingston Ave., Roseland, NJ

(place served) _____

Deponent served the within Summons in a Civil Case and Complaint upon

Organon USA

by delivering to and leaving with

Jonathan Beck

Legal Counsel

(Person served) _____, (title) _____

a true and correct copy of said documents.

At the time of said service, (Person served) Jonathon Beck stated that

(s)he was duly authorized to accept service of legal process for Organon USA

(person served) Jonathon Beck is described as a white ~~(MA)~~ male,

approximately 40 years of age, 160 lbs., 5'10" tall, with black hair.

(other features) _____


(PROCESS SERVER'S SIGNATURE)

Dacien John Mullen

Print Name

Sworn to before me this
27th day of July, 2005


Notary Public

JANET E. MULLEN

MY COMMISSION EXPIRES
MAY 17, 2008

COUNTY OF Chautauqua

05CV0214 S(E)

Vs.

ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et al.

STATE OF NEW JERSEY

COUNTY OF Camden

ss.:
}

Dacien John Mullen, being duly sworn deposes and says that:
Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of
New Jersey.

On Wednesday, July 27, 2005, at approximately 1:30 pm., at
Orth Biotech, 430 Rt 22, Bridgewater, NJ
(place served)

Deponent served the within Summons in a Civil Case and Complaint upon
Orth Biotech Products LP

Judith Passarelli, by delivering to and leaving with
(Person served) Judith Passarelli (title) Board Associate

a true and correct copy of said documents.

At the time of said service, (Person served) Judith Passarelli stated that
(s)he was duly authorized to accept service of legal process for Orth Biotech Products LP
(person served) Judith Passarelli is described as a White (fe)male,
approximately 50 years of age, 140 lbs., 5'6" tall, with Blonde hair.
(other features)

(PROCESS SERVER'S SIGNATURE)

Dacien John Mullen

Print Name

Sworn to before me this
27th day of July, 2005

Notary Public

JANET E. MULLEN
MY COMMISSION EXPIRES
MAY 17, 2008

COUNTY OF Chautauqua

05 CV 024 SCF

Vs.

ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al.

STATE OF NEW JERSEY)
) ss.:
COUNTY OF Camden)

Dacien John Mullen, being duly sworn deposes and says that:

Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of
New Jersey.

On Wednesday, July 27, 2005, at approximately 1:30 pm., at
1000 u.s. Route 202 South, Raritan, NJ
(place served)

Deponent served the within Summons in a Civil Case and Complaint upon

Ortho-Mcneil Pharmaceutical, Inc., by delivering to and leaving with
(Person served) Hannah Keller, title Mgr. SOP Compliance

a true and correct copy of said documents.

At the time of said service, (Person served) Hannah Keller stated that
(s)he was duly authorized to accept service of legal process for Ortho-Mcneill Pharmaceutical
(person served) Hannah Keller is described as a White (fe)male,
approximately 28 years of age, 28 lbs., 5'7" tall, with auburn hair.
(other features)

(PROCESS SERVER'S SIGNATURE)

Dacien John Mullen

Print Name

Sworn to before me this
27th day of July, 2005

Notary Public

JANET E. MULLEN
MY COMMISSION EXPIRES
MAY 17, 2008

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESAL PRICE LITIGATION

Index No. 01-12257 PBS

THIS DOCUMENT RELATES TO:

AFFIDAVIT OF SERVICE

COUNTY OF CHAUTAUQUA v. ABBOTT
LABORATORIES, INC., et al.

W.D.N.Y. Case No. 05-cv-214

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

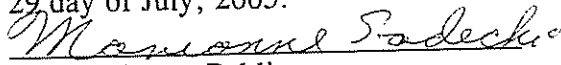
I, ANDREW MILLER, says:

I am over the age of eighteen, am not a party to this action, and am employed in the City, State, and County of New York. On July 27, 2005, I served true and complete copies of the attached **SUMMONS AND COMPLAINT** upon **PFIZER, INC.**, by personally delivering said true copies to Aixa Flores, process specialist of CT CORPORATION, 111 Eighth Avenue, New York, NY 10011. Ms. Solomon is 5'7" tall, 146 lbs, and 36 years old.



ANDREW MILLER

Sworn to before me this
29 day of July, 2005.



Notary Public

MARIANNE SADECKI
Notary Public, State of New York
No. 14-4869982
Qualified in Dutchess County
Commission Expires Sept. 8, 2006

-----x
COUNTY OF Chautauqua

05270344 SCA

Vs.

ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al.

-----x
STATE OF NEW JERSEY)
) ss.:
COUNTY OF Camden)

Dacien John Mullen, being duly sworn deposes and says that:

Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of
New Jersey.

On Wednesday, July 27, 2005, at approximately 1: 30 pm., at
(place served) Pfizer, Inc. 95 Corporate Dr., Bridgewater, NJ

Deponent served the within Summons in a Civil Case and Complaint upon

Pharmacia Corp (Pfizer, Inc), by delivering to and leaving with
(Person served) Darren Welsh, (title) Sr. Paralegal, Legal Department

a true and correct copy of said documents.

At the time of said service, (Person served) Darren Welsh stated that
(s)he was duly authorized to accept service of legal process for Pharmacia Corp (Pfizer, Inc.)

(person served) Darren Welsh is described as a White (X) male,
approximately 35 years of age, 150 lbs., 5 7 " tall, with Balding hair.

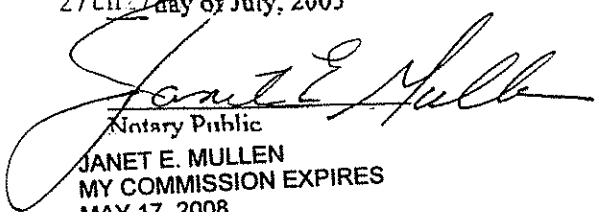
(other features) _____


(PROCESS SERVER'S SIGNATURE)

Dacien John Mullen

Print Name

Sworn to before me this
27th day of July, 2005


Notary Public

JANET E. MULLEN
MY COMMISSION EXPIRES
MAY 17, 2008

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

-----x
COUNTY OF CHAUTAUQUA

Index No. 05-CV-0214 S(F)

Vs.
ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al.

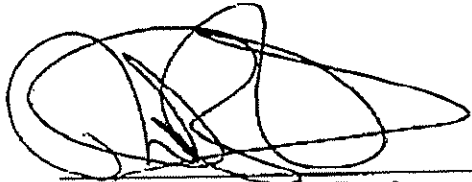
-----x
STATE OF NEW YORK)
COUNTY OF QUEENS) ss.:

Andrew Bartley, being duly sworn deposes and says that: Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of New York.

On July 27, 2005, at approximately 4:50 p.m., at One Ram Ridge Road, Spring Valley, New York 10977. Deponent served the within Summons in a Civil Case and Complaint upon Par Pharmaceuticals Inc., by delivering to and leaving with Diane Montalto, Snr. Director of Engineering, a true and correct copy of said documents.

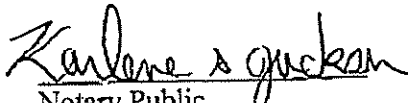
At the time of said service, Diane Montalto stated that she was duly authorized to accept service of legal process for Par Pharmaceuticals Inc.

Diane Montalto is described as a White female, approximately 33-35 years of age, 120-130 lbs., 5' 4" tall, and has blond hair.



Andrew Bartley

Sworn to before me this
29th day of July, 2005


Notary Public

KARLENE S. JACKSON
Notary Public
State of New York, #01JA5083169
Qualified in Kings County
Commission Expires August 4, 2009

COUNTY OF Chautauqua

05CV 0214 SCA

Vs.

ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et al.

STATE OF NEW JERSEY)
) ss.:
COUNTY OF Camden)

Dacien John Mullen, being duly sworn deposes and says that:

Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of
New Jersey.

On Wednesday, July 27, 2005, at approximately 1:30 pm., at
(place served) Purepac Pharm. 14 Commerce Dr, Suite 301, Cranford NJ

Deponent served the within Summons in a Civil Case and Complaint upon

Purepac Pharmaceutical Co., by delivering to and leaving with

(Person served) Dimitrios Angoli, (title) Director, Law


a true and correct copy of said documents.

At the time of said service, (Person served) Dimitrios Angoli stated that

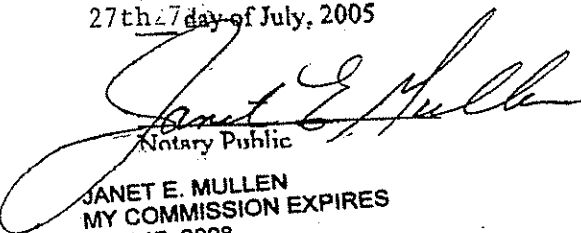
(s)he was duly authorized to accept service of legal process for Purepac Pharmaceutical Co.

(person served) Dimitrios Angoli is described as a White (fe)male,
approximately 35 years of age, 160 lbs., 5'7" tall, with Black hair.

(other features) _____


(PROCESS SERVER'S SIGNATURE)
Dacien John Mullen
Print Name

Sworn to before me this
27th day of July, 2005


Notary Public

JANET E. MULLEN
MY COMMISSION EXPIRES
MAY 17, 2008

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

-----x
COUNTY OF CHAUTAUQUA

Index No. 05-CV-0214 S(F)

Vs.

ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et al.

-----x
STATE OF CONNECTICUT)
) ss.:
COUNTY OF FAIRFIELD)

Eric Rubin, being duly sworn deposes and says that:

Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of Connecticut.

On Wednesday, July 27, 2005, at approximately 12:14p.m., at One Stamford Forum, 201 Tresser Blvd., Stamford, CT 06901, Deponent served the within Summons in a Civil Case and Complaint with attached Exhibits, upon PurduePharma L.P., by delivering to and leaving with
(Person served) Alicia Temoche (title), Administrative Assistant
a true and correct copy of said documents.

At the time of said service, (Person served) Alicia Temoche stated that
(s)he was duly authorized to accept service of legal process for PurduePharma L.P..

(person served) Alicia Temoche is described as a white (fe)male,
approximately 30-35 years of age, 115 lbs., 5' 4" tall, with brown hair.
(other features) _____


(PROCESS SERVER'S SIGNATURE)

Eric Rubin
Print Name

Sworn to before me this
28th day of July, 2005


Notary Public

Ksenia V. Rubin
NOTARY PUBLIC
State of Connecticut
My Commission Expires 12/31/07

COUNTY OF Chautauqua

0502 0214 S(F)

ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al.

STATE OF NEW JERSEY)
) ss.:
COUNTY OF Camden)

Dacien John Mullen, being duly sworn deposes and says that:

Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of New Jersey.

On Wednesday, July 27, 2005, at approximately 1: 30 pm., at
Purepac Pharm. 14 Commerce Dr, Suite 301, Cranford NJ
(place served) _____

Deponent served the within Summons in a Civil Case and Complaint upon

Purepac Pharmaceutical Co. _____, by delivering to and leaving with
(Person served) Dimitrios Angoli _____, (title) Director, Law _____,

a true and correct copy of said documents.

At the time of said service, (Person served) Dimitrios Angoli stated that (s)he was duly authorized to accept service of legal process for Unipac Pharmaceutical Co.

(person served) Dimitrios Angoli is described as a White (fe) male,
approximately 35 years of age, 160 lbs., 5' 7" tall, with Black hair.

(other features) _____


(PROCESS SERVER'S SIGNATURE)
Dacien John Mullen
Print Name

Sworn to before me this
27th day of July, 2005

Notary Public

JANET E. MULLEN
MY COMMISSION EXPIRES
MAY 17, 2008

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

COUNTY OF CHAUTAUQUA

Index No. 05-CV-0214 S(F)

Vs.

ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et al.

STATE OF

}

} ss.:

COUNTY OF

}

John Hotz

being duly sworn deposes and says that:

Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of

N.Y.

On

July

19

, 2005, at approximately

2:00 p.

(m.) at

(place served)

110 Allen Rd, Liberty Corner, NJ

Deponent served the within Summons in a Civil Case and Complaint upon

Reliant Pharmaceuticals by delivering to and leaving with
(Person served) Tara Dorsi (title) Jr. Counsel

a true and correct copy of said documents.

At the time of said service, (Person served) Tara Dorsi stated that(s)he was duly authorized to accept service of legal process for Reliant(person served) Tara Dorsi is described as a W (fe)male,approximately 45 years of age, 210 lbs., 5'4" tall, with Brn hair.

(other features) _____

John Hotz
(PROCESS SERVER'S SIGNATURE)John Hotz
Print NameSworn to before me this
19 day of July, 2005act

Notary Public

Dacien J. Mullen
DACIEN J. MULLEN
MY COMMISSION EXPIRES
JUNE 1, 2008

COUNTY OF Chautauqua

0507 0214 S(F)

Vs.

ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al.

STATE OF NEW JERSEY)
) ss.:
COUNTY OF Camden)

Dacien John Mullen, being duly sworn deposes and says that:

Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of
New Jersey.

On Wednesday, July 27, 2005, at approximately 1: 30 pm., at
340 Kingsland Street, Nutley NJ

(place served) _____

Deponent served the within Summons in a Civil Case and Complaint upon

Roche Labs

, by delivering to and leaving with

Jane Matthews

Sr. Counsel

(Person served) _____, (title) _____,

a true and correct copy of said documents.

At the time of said service, (Person served) Jane Matthews stated that

(s)he was duly authorized to accept service of legal process for Roche Labs.

(person served) Jane Matthews is described as a _____ (fe)male,

approximately 40 years of age, 130 lbs., 5'4" tall, with Blonde hair.

(other features) _____

(PROCESS SERVER'S SIGNATURE)

Dacien John Mullen

Print Name

Sworn to before me this
27th day of July, 2005

Notary Public

JANET E. MULLEN
MY COMMISSION EXPIRES
MAY 17, 2008

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

-----X
COUNTY OF CHAUTAUQUA

Index No. 05-CV-0214 S(F)

Vs.

ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al.

-----X
STATE OF OHIO)
) ss.:
COUNTY OF Franklin)

Pamela Spires, being duly sworn deposes and says that: Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of Ohio.

On Thursday, July 28, 2005, at approximately 1:42 Pm., at 1809 Wilson Avenue, Columbus, OH 43216, Deponent served the within Summons in a Civil Case and Complaint upon Roxane Laboratories, by delivering to and leaving with Robert Powers, (title) Police Officer, a true and correct copy of said documents.

At the time of said service, Robert Powers stated that he was duly authorized to accept service of legal process for Roxane Laboratories.

Robert Powers is described as a White male, approximately 42 years of age, 190 lbs., 5'10" tall, with Brown hair. (other features) _____

Pamela Spires
Pamela Spires

Sworn to before me this
8th day of August, 2005

Jennifer L. Ruckman
Notary Public

JENNIFER L. RUCKMAN
NOTARY PUBLIC • STATE OF OHIO
Recorded in Fairfield County
My commission expires Nov. 14, 2009

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE LITIGATION

THIS DOCUMENT RELATES TO:

COUNTY OF CHAUTAUQUA v. ABBOTT
LABORATORIES, INC., et al.

W.D.N.Y. Case No. 05-cv-214

Index No. 01-12257 PBS

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

I, ANDREW MILLER, says:

I am over the age of eighteen, am not a party to this action, and am employed in the City, State, and County of New York. On July 27, 2005, I served true and complete copies of the attached **SUMMONS AND COMPLAINT** upon **SANOFI-SYNTHELABO, INC.**, by personally delivering said true copies to Anne Gregorakes of,

CORPORATION SERVICE COMPANY.
1133 Avenue of the Americas, Ste. 3100
New York, NY 10036

Ms. Gregorakes stated that she was authorized to accept service.

IA Miller
ANDREW MILLER

Sworn to before me this
29 day of July, 2005.

Marianne Sadecki
Notary Public

MARIANNE SADECKI
Notary Public, State of New York
No. 14-4869982
Qualified in Dutchess County
Commission Expires Sept. 8, 2006

COUNTY OF Chautauqua

Vs.

05CV0214 SEF

ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al.

STATE OF NEW JERSEY)
) ss.:
COUNTY OF Camden)

Dacien John Mullen, being duly sworn deposes and says that:

Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of
New Jersey.

On Wednesday, July 27, 2005, at approximately 1:30 pm., at
(place served) 506 Carnegie Center, Ste 400, Princeton NJ

Deponent served the within Summons in a Civil Case and Complaint upon

Sandoz, by delivering to and leaving with
(Person served) Christine A. Gurrera, (title) Paralegal, Legal Dept.

a true and correct copy of said documents.

At the time of said service, (Person served) Christine Gurrera stated that
(s)he was duly authorized to accept service of legal process for Sandoz.
(person served) Christine Gurrera is described as a White (fe)male,
approximately 40 years of age, 110 lbs., 5'3" tall, with brown hair.
(other features) _____

(PROCESS SERVER'S SIGNATURE)

Dacien John Mullen

Print Name

Sworn to before me this
27th day of July, 2005

Janet E. Mullen
Notary Public

JANET E. MULLEN
MY COMMISSION EXPIRES
MAY 17, 2008

-----X
COUNTY OF Chautauqua

0507 0214 S(F)

Vs.

ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al.

-----X
STATE OF NEW JERSEY)
) ss.:
COUNTY OF Camden)

Dacien John Mullen, being duly sworn deposes and says that:

Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of
New Jersey.

On Wednesday, July 27, 2005, at approximately 1: 30 pm., at
2000 Galloping Hill Rd, Kenilworth, NJ
(place served) _____

Deponent served the within Summons in a Civil Case and Complaint upon
Schering-Plough Corp.

_____, by delivering to and leaving with
Alice Corkery, (title) Sr Legal Assistant
(Person served) _____

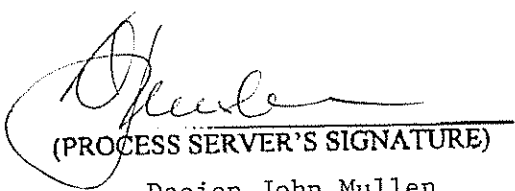
a true and correct copy of said documents.

At the time of said service, (Person served) Alice Corkery stated that

(s)he was duly authorized to accept service of legal process for Schering-Plough Corp.

(person served) Alice Corkery is described as a white (fe)male,
approximately 40 years of age, 105 lbs., 5'3 " tall, with black hair.

(other features) _____


(PROCESS SERVER'S SIGNATURE)

Dacien John Mullen

Print Name

Sworn to before me this
27th day of July, 2005


Notary Public

JANET E. MULLEN
MY COMMISSION EXPIRES
MAY 17, 2008

-----x
COUNTY OF Chautauqua

0522/0214 S(F)

Vs.

ABBOTT LABORATORIES, INC.. ALCON
LABORATORIES, INC. et. al.

-----x
STATE OF NEW JERSEY)
) ss.:
COUNTY OF Camden)

Dacien John Mullen, being duly sworn deposes and says that:

Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of
New Jersey.

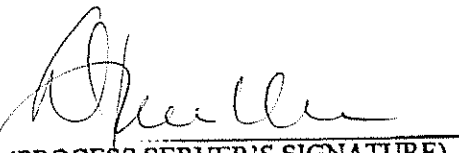
On Wednesday, July 27, 2005, at approximately 1:30 pm., at
2000 Galloping Hill Rd. Kenilworth, NJ
(place served) _____

Deponent served the within Summons in a Civil Case and Complaint upon

Schering Corp, by delivering to and leaving with
Alice Corkery Sr Legal Assistant
(Person served) _____ (title) _____

a true and correct copy of said documents.

At the time of said service, (Person served) Alice Corkery stated that
(s)he was duly authorized to accept service of legal process for Schering Corp
(person served) Alice Corkery is described as a white (fe)male,
approximately 40 years of age, 105 lbs., 5'3 " tall, with Black hair.
(other features) _____


(PROCESS SERVER'S SIGNATURE)
Dacien John Mullen
Print Name

Sworn to before me this
27th day of July, 2005


Notary Public

JANET E. MULLEN
MY COMMISSION EXPIRES
MAY 17, 2008

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

-----X
(Caption) COUNTY OF CHAUTAUGUA

Plaintiff

Index No. 05-CV-0214 S(F)

V.

(Caption) ABBOTT LABORATORIES INC.,
Defendants
ET AL

-----X
STATE OF)
MASSACHUSETTS) ss.:
COUNTY SUFFOLK)

DAVID E. WALTERS, being duly sworn deposes and says that: deponent is not a party to this action, and is over 18 years of age and is a resident of the State of MASSACHUSETTS.

On WEDNESDAY, JULY 27, 2005 approximately 2⁴⁵ p.m. at (address served) ONE TECHNOLOGY PL. ROCKLAND, deponent served the within Summons in a Civil Case and Complaint upon SERONO INC. by delivering to and leaving with (PERSON SERVED) ELEN ROSENBERG, (TITLE) ASSOCIATE GENERAL COUNSEL, a true and correct copy of said document. At the time of said service, (PERSON SERVED)

ELEN ROSENBERG stated that she was duly authorized to accept service of legal process for (Co served) SERONO INC.

(PERSON SERVED) ELEN ROSENBERG is described as a WHITE female, approximately 35 years of age, 135 lbs., 5'7" tall, with BROWN hair and (OTHER FEATURES)


(PROCESS SERVER'S SIGNATURE)

DAVID E. WALTERS

Sworn to before me this
27 day of JULY, 2005

Patricia A. Jan
Notary Public

My Commission exp
7/25/08

COUNTY OF Chautauqua

05CV0214 S(F)

Vs.

ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al.

STATE OF PENNSYLVANIA)

) ss.:

COUNTY OF)
Philadelphia

Matthew Kohlman being duly sworn deposes and says that:

Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of
Pennsylvania.

On Wednesday, July 27, 2005, at approximately 2:15 m., at
1 Franklin Plaza, 16th & Race Streets, Phila PA
(place served)

Deponent served the within Summons in a Civil Case and Complaint upon
Smithkline Beecham Corp d/b/a GlaxosmithKline, by delivering to and leaving with
(Person served) Jean Sherwood, (title) Adm Asst, Legal Dept,

a true and correct copy of said documents.

At the time of said service, (Person served) Jean Sherwood stated that
(s)he was duly authorized to accept service of legal process for GlaxoSmithKline.
(person served) Jean Sherwood is described as a white (fe)male,
approximately 50 years of age, 170 lbs., 5'8 " tall, with brown hair.
(other features)


(PROCESS SERVER'S SIGNATURE)

Matthew Kohlman

Print Name

Sworn to before me this
27 day of July, 2005


Notary Public

DACIEN J. MULLEN
MY COMMISSION EXPIRES
JUNE 1, 2008

Vs.

ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et al.

STATE OF ILLINOIS)
) ss.:
COUNTY OF ~~COOK~~)
 LAKE

BARNETT S. KOLTON, being duly sworn deposes and says that:

Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of Illinois.

On Wednesday, July 27, 2005, at approximately 3:45^P.m., at 675 North Field Drive, Lake Forest, IL 60045, Deponent served the within Summons in a Civil Case and Complaint with Exhibits upon TAP Pharmaceutical USA, by delivering to and leaving with

(Person served) DENISE GREEN, (title) ADMIN. ASST. LEGAL DEPT.

At the time of said service, (Person served) DENISE GREEN stated that

(s)he was duly authorized to accept service of legal process for TAP Pharmaceutical USA.

(person served) DENISE GREEN is described as a W (fe) male,
approximately 40 years of age, 130 lbs., 5' 5" tall, with BLONDE hair.

(other features) _____

Barnett L. Kolton
(PROCESS SERVER'S SIGNATURE)

BARNETT D. KOLTON
Print Name

Sworn to before me this
29 day of July, 2005

Colin Hecker
Notary Public



COUNTY OF Chautauqua

05CV 0214 SCF

Vs.

ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al.

STATE OF PENNSYLVANIA)

) ss.:

COUNTY OF)
Philadelphia

Matthew Kohlman, being duly sworn deposes and says that:

Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of
Pennsylvania.

On Wednesday, July 27, 2005, at approximately 2:15 .m., at
(place served) 425 Privet Road, Horsham, PA

Deponent served the within Summons in a Civil Case and Complaint upon

TEVA Pharmaceuticals usa, Inc., by delivering to and leaving with
(Person served) Margaret Wrigley, (title) Manager, Legal

a true and correct copy of said documents.

At the time of said service, (Person served) Margaret Wrigley stated that

(s)he was duly authorized to accept service of legal process for TEVA Pharmaceuticals USA, Inc.
Margaret Wrigley is described as a White

(person served) 50 years of age, 160 lbs., 5'7 " tall, with Blonde hair.

(other features) _____

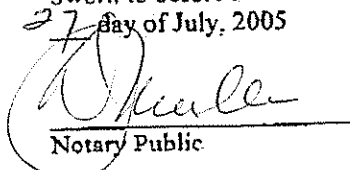


(PROCESS SERVER'S SIGNATURE)

Matthew Kohlman

Print Name

Sworn to before me this
27 day of July, 2005


Notary Public

DACIEN J. MULLEN
MY COMMISSION EXPIRES
JUNE 1, 2008

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

COUNTY OF CHAUTAUQUA

Index No. 05-CV-0214 S(F)

Vs.

ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al.STATE OF
COUNTY OF)
) ss.:Aimee Sager

, being duly sworn deposes and says that:

Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of

IllinoisOn Wednesday, July 27, 2005, at approximately 3:35 p.m., at
(address) 1718 Northrock Court, Rockford, IL 61103

Deponent served the within Summons in a Civil Case and Complaint upon (Defendant)

UDL Laboratories, Inc.

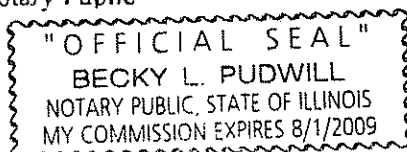
, by delivering to and leaving with

(Person served) Dawn Burnell (title) Receptionist

a true and correct copy of said documents.

At the time of said service, (Person served) Dawn Burnell

stated that (s)he was duly authorized to accept service of legal process for (Defendant)

UDL Laboratories, Inc.(Person served) Dawn Burnell is described as a (color/race) AA(fe)male, approximately 30 years of age, 135 lbs., 5' 10 " tall, with
female
black hair. (other features) DOB: 6-25-75Aimee Sager
(PROCESS SERVER'S SIGNATURE)Aimee Sager
(Print Name)Sworn to before me this
28th day of July, 2005Becky L. Pudwill
Notary Public

WESTERN DIST. OF NEW YORK

AFFIDAVIT

OS CV 0214 S(P)

State of Nevada)

ss.

County of Washoe)

ALEX BACCHUS, being first duly sworn deposes and says:

That affiant is a citizen of the United States, over 18 years of age, licensed to serve civil process in the State of Nevada under license #322, and not a party to, nor interested in the within action affiant received the documents on Jul 28 2005 9:03AM and on Jul 28 2005 12:19PM

affiant personally served a copy of the
SUMMONS IN A CIVIL ACTION; COMPLAINT

on MASON ULM, [W/M, 200LBS, 6'2", 35YOA., BRN HAIR] AGENT AUTHORIZED TO ACCEPT
ACCEPTED ON BEHALF OF WARRICK PHARMACEUTICALS CORPORATION

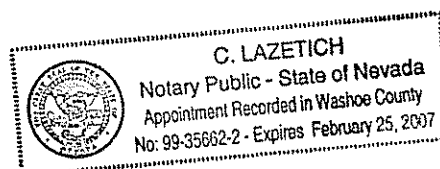
12125 MOYA BLVD.
RENO, NV 89506

Affiant does hereby affirm under penalty of perjury that
the assertions of this affidavit are true.

Alex Bacchus
ALEX BACCHUS

Signed and sworn to before me on Jul 28 2005
by ALEX BACCHUS

Notary Public



Reno/Carson
Messenger
Service, Inc.
License #322

185 Martin St
Reno, NV 89509
775-322-2424

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

COUNTY OF CHAUTAUQUA

Index No. 05-CV-0214 S(F)

Vs.

ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al.

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.:

Surya Von Rosen, being duly sworn deposes and says that:

Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of

CALIFORNIA.

On THURSDAY, July 28, 2005, at approximately 12:10 PM., at

(address) 311 BONNIE CIR. CORONA, CA 92880

Deponent served the within Summons in a Civil Case and Complaint upon (Defendant)

Watson Pharma, Inc., by delivering to and leaving with

(Person served) DAVID. A. BUCHEN (title) SR. VICE PRESIDENT

a true and correct copy of said documents.

At the time of said service, (Person served) DANID BUCHEN

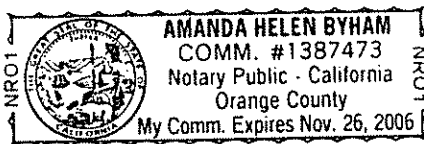
stated that (s)he was duly authorized to accept service of legal process for (Defendant)

Watson Pharma, Inc.

(Person served) _____ is described as a (color/race) WHITE

(fe) male, approximately 55 years of age, 200 lbs., 6' 1" tall, with

brn hair. (other features) _____



(PROCESS SERVER'S SIGNATURE) _____

Surya Von Rosen
(Print Name)

Sworn to before me this
____ day of July, 2005

Notary Public

State of California, County of Orange
Subscribed and sworn to (or affirmed) before me
on this 5 day of August, 2005
by Surya Von Rosen
personally known to me or proved to me on the
basis of satisfactory evidence to be the person(s)
who appeared before me.
Signature: Amanda Helen Byham

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

-----X
COUNTY OF CHAUTAUQUA

Index No. 05-CV-0214 S(F)

Vs.
ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al.

-----X
STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.:

Surya VonRosen, being duly sworn deposes and says that:

Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of

CALIFORNIA.

On THURSDAY, July 28, 2005, at approximately 12:10 PM., at

(address) 311 BONNIE CIR., CORONA, CA 92880

Deponent served the within Summons in a Civil Case and Complaint upon (Defendant)

Watson Pharma, by delivering to and leaving with

(Person served) DAVID A. BULLEN (title) SR. VICE PRESIDENT

a true and correct copy of said documents.

At the time of said service, (Person served) DANIEL BULLEN

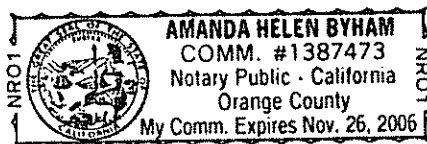
stated that (s)he was duly authorized to accept service of legal process for (Defendant)

Watson Pharma

(Person served) _____ is described as a (color/ race) WHITE

(fe) male, approximately 55 years of age, 200 lbs., 6' 1" tall, with

brn hair. (other features) _____



[Signature]
(PROCESS SERVER'S SIGNATURE)

Surya VonRosen
(Print Name)

Sworn to before me this
____ day of July, 2005

Notary Public

State of California, County of Orange
Subscribed and sworn to (or affirmed) before me
on this 5 day of August, 2005.
by Surya VonRosen
personally known to me or proved to me on the
basis of satisfactory evidence to be the person(s)
who appeared before me.
Signature: Amanda H. Byham

COUNTY OF Chautauqua

Vs.

OSLY 02145(A)

ABBOTT LABORATORIES, INC., ALCON
LABORATORIES, INC. et. al.

STATE OF NEW JERSEY)
) ss.:
COUNTY OF Camden)

Dacien John Mullen, being duly sworn deposes and says that:

Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of
New Jersey.

On Wednesday, July 27, 2005, at approximately 1:30 pm., at
Wyeth, 5 Giralda Farms, Madison, NJ

(place served) _____

Deponent served the within Summons in a Civil Case and Complaint upon

Wyeth

by delivering to and leaving with

(Person served) Cari Ruzila, (title) Paralegal

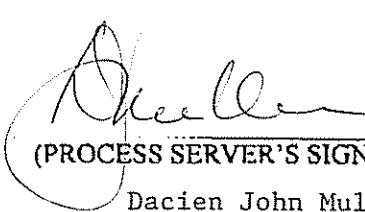
a true and correct copy of said documents.

At the time of said service, (Person served) Cari Ruzila stated that

(s)he was duly authorized to accept service of legal process for Wyeth.

(person served) Cari Ruzila is described as a White (fe)male,
approximately 35 years of age, 180 lbs., 5'3" tall, with brown hair.

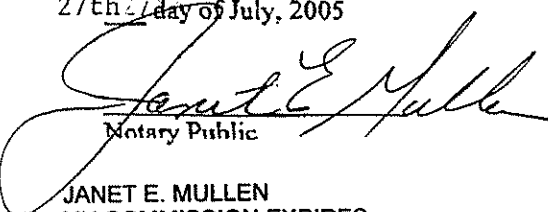
(other features) _____


(PROCESS SERVER'S SIGNATURE)

Dacien John Mullen

Print Name

Sworn to before me this
27th day of July, 2005


Notary Public

JANET E. MULLEN
MY COMMISSION EXPIRES
MAY 17, 2008